

1. STATUTORY AUTHORITY

Child, Family and Community Service Act, Section 93

2. OBJECTIVES

- To provide families with respite in order to assist them in caring for their children in their own homes and communities
- To maintain and enhance the independence and quality of life for families of children with special needs

3. DESCRIPTION

Direct Funded Respite benefits are provided directly to families of eligible children to purchase the respite that best meets their needs, in accordance with the Use of Respite Funding Policy.

4. ELIGIBILITY

For eligibility information, see the Eligibility for Family Support Services Policy

5. PROCEDURES

5.1 Service Approach

Families may choose the type of respite service and the care providers that best meet their needs, in accordance with the Use of Respite Funding Policy. A person selected by the parent or guardian to provide respite care shall not be a parent unless an exception is approved under the Service Provision by Family Members Policy. Respite services do not include medical or non-medical therapies.

5.2 Parental Responsibilities

Parents are responsible for selecting their own respite care services, and for making direct payments to the respite care providers. Parents who choose to use respite resources in ministry-funded group homes or hostels must make direct payment to the service provider. Staff should ensure that families understand they are responsible for paying the service provider.

Two payment methods are available to parents, direct payment or billing. With both payment methods, parents are responsible for recording and documenting respite use. For parents using the direct payment method, the Children and Youth with Special Needs Support Worker (CYSN SW) may provide the family with a supply of Record of Respite Expenses (CF2553) forms to assist them in maintaining documentation. The Record of Respite Expenses form and/or receipts are to be submitted to the MCFD office by the parents as established in the Respite Benefits Funding Agreement (CF2166) (monthly, quarterly, semi-annually or annually). This documentation will be filed in the family file. The CYSN SW should review this on a semi-annual basis.

Parents using the direct payment method should be made aware that they are responsible for managing their respite budget. There is no provision for over-expenditure. If the family's circumstances change and they anticipate a higher respite use than was originally set out in the agreement, the

parents should contact the CYSN SW to request a review of the agreement. In managing their respite budget parents should also be aware that any unused portion of the previous year's payment will be applied against the next year's allotment and the monthly payments adjusted accordingly.

Parents using the billing method will record their respite use on an Approved Respite Expense Form (CF2164). The parents submit the form to the MCFD office. One copy of the form is placed on file and the other submitted to the Accounts Payable office, which will reimburse parents for their expenditures. Parents remain responsible for paying the respite caregiver and documenting respite expenditures. The form of payment should be clearly documented on the Respite Benefits Funding Agreement (CF2166).

5.3 Allowable Respite Costs

Families are eligible for respite expenses up to a maximum of \$2,800 per year. This amount is based on the following calculation: \$70 per diem x 40 days = \$2,800. Families may choose to spend more than \$70 per day for respite services, provided the maximum spent in a year does not exceed the \$2,800 amount. Any daily respite charge over \$100 per day, however, will require prior approval of the Team Leader. This approval is to be noted on the Schedule A (CF2166).

Team Leaders are to consider the following factors in determining whether to authorize a per diem amount over \$100:

- The severity of the child's disability,
- The family situation,
- Resources available in the community,
- Extenuating circumstances.

Some families may require additional respite. These families may be eligible for respite benefits in excess of the \$2,800, with the approval of the Team Leader. Team Leader approval for amounts over \$2,800 is to be noted on the Schedule A (CF2166). Alternatively, families may choose to access respite in excess of \$2,800 per year via Respite Relief or through Contracted Respite Services.

Decisions regarding respite in excess of \$2,800 annually will be based on the following:

- Exceptional family need,
- Availability of budget,
- Other available services.

Manager approval is required for agreements in excess of \$7,500 annually and is to be noted on the Schedule A. Funds issued to a family for respite services are not to be used for transportation costs. The family is responsible for covering travel costs incurred in connection with the Direct Funded Respite Benefits Program.

5.4 Income Testing

The ministry must administer an income test, as prescribed under Canada Revenue Agency (CRA) tax legislation, to determine the amount of the benefits since the funding is considered by the ministry to be social assistance and is non-taxable to recipients. Also, in accordance with CRA regulations, the ministry will not be issuing T5007 information returns to the recipients because it considers the funding in respect of medical expenses or child care expenses. The Children and Youth with Special Needs Support Worker (CYSN SW) is responsible for completing the Support Services Income Test (CF2186) to determine whether the family must contribute to the cost of the respite care.

Refer to the **Parental Contributions Policy** for information on administering the income test.

5.5 Respite Benefits Funding Agreement

After the income test has been completed, the Ministry enters into a formal agreement with the family, for a period of up to one year, using the Respite Benefits Funding Agreement (CF2166). The agreement (including Schedule A) sets out the following details:

- Maximum amount of respite service the family is eligible for, and the calculations on which the maximum amount is based,
- Parental contribution to the service,
- The identity of the payee,
- The payment method (direct payment or billing),
- The parent's obligations.

Children and Youth with Special Needs Support Workers (CYSN SW) are responsible for completing the Respite Benefits Funding Agreement with the family and for approving respite rates of up to \$100 a day. Team Leaders must approve respite rates over \$100, and maximum amounts exceeding \$2,800, as noted on Schedule A.

5.5.1 Guidelines for Completing the Schedule A (CF2166)

For the Direct Funded Respite Benefits program, the form Respite Benefits Funding Agreement CF2166 is used. Schedule A details the calculations on which the annual amount is based. Families may choose a respite service on an hourly or daily basis or a combination of both. It is recognized that the family's pattern of respite usage may be variable throughout the year. The Schedule A documents only the annual usage agreed upon and does not reflect variations in usage.

The amount noted on the Schedule A beside the heading "Total funds required for respite" is the amount the family must document as being spent when the next agreement is negotiated. Schedule A documents the exceptional circumstances or needs of the child which result in a requirement for respite in excess of \$100 per diem or \$2,800 annually. The Children and Youth with Special Needs Support Worker (CYSN SW) completes the appropriate section in consultation with the parents. The Team Leader must sign the appropriate section(s) before payment can be initiated.

Send the original agreement to the Accounts Payable office with a completed Authorization to Pay Contracts and Grants (CF0025) to authorize payment. Give a copy of the agreement to the family and place a copy on the family's file.

5.5.2 Revising the Respite Benefits Funding Agreement

A family's circumstances may change in a way that impacts their respite usage, and it may be appropriate to re-negotiate the agreement before the expiry date. This may be done at the instigation of either the Children and Youth with Special Needs Support Worker (CYSN SW) or the parent, with the approval of the Team Leader. The agreement requires 30 days notice for termination. A new agreement and Schedule A would then be negotiated.

The revised agreement and Schedule A will be distributed with a new CF0025, in the same manner as the agreement (original to the Accounts Payable office with CF0025, one copy to the family and one copy in the family's file). The term of the contract should remain the same (e.g. if the term was October 1 to September 30, the revision should also expire September 30). If an additional amount is negotiated, the excess should be equally distributed over the remaining months. Questions regarding correct completion of the CF0025 in these circumstances should be directed to the Accounts Payable.

5.6 Payment Procedures

There are two options for payment for respite benefits:

Option 1: Payments may be made in automatic monthly payments for the term of the Respite Benefits Funding Agreement. Payments are initiated with the submission of the Authorization to Pay Contracts and Grants (CF0025) to the Accounts Payable office, Victoria, and will be paid in equal monthly instalments on the 15th of the month.

OR

Option 2: Payments may be made in variable amounts upon receipt of billing forms from the parents. Parents complete the Approved Respite Expenses form (CF2164) and submit it to the MCFD Office. The MCFD Office forwards it to the Accounts Payable office, and parents are reimbursed accordingly. Parents should be advised that processing of payments will take a minimum of three weeks. The Respite Benefits Funding Agreement must state clearly which payment option is being used.

5.7 Children and Youth with Special Needs Support Worker Responsibilities

The Children and Youth with Special Needs Support Worker (CYSN SW) is responsible for monitoring the respite usage to ensure that the family will not be significantly over or under spent. Additionally, the CYSN SW is responsible for ensuring that the Respite Benefits Funding Agreement (CF2166) is renewed prior to the expiry date, so that there is no delay in receiving payments.

5.8 Changes to the Agreement/Payment

If the agreement is cancelled or the amount of payment reduced, the Accounts Payable office must be notified immediately. Send a new CF0025 effective the date of the change in the agreement.

5.9 Forms Used For Direct Funded Respite Benefits

CF0025	Authorization to Pay Contracts and Grants
CF2186	Support Services Income Test
CF2164	Approved Respite Expenses
CF2166	Respite Benefits Agreement
Schedule A,	Calculation of Respite Benefits
CF2553	Record of Respite Expenses